IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 969 of 2004 (M/B)

1. Smt. Urmila Agarwal,
   w/o Sri Anand Prakash Agarwal,
2. Neeraj Agarwal
   S/o Sri Anand Prakash Agarwal
   Both residents of Hydel Gate, Kathgodam,
   Tehsil Haldwani,
   District Nainital …….. Petitioners

Versus

1. State of Uttaranchal
   through Agriculture Secretary
   Uttarnchal Shashan, Dehradun
2. State of Uttar Pradesh
   through Agriculture Secretary,
   Uttar Pradesh Shashan, Lucknow
3. Diamond and Gem Development Corporation Ltd.
   having its registered office at 142 – Atlanta,
   Nariman Point, Bombay and Office at
   Haldwani, District Nainital ……. Respondents

Mr. Sudhir Kumar, Advocate for the petitioners.
Mr. N.C.Gupta, Standing Counsel for respondent no. 1.
None for respondents 2 and 3.

JUDGMENT

Coram: Hon. Rajeev Gupta, C.J.
Hon. Prafulla C. Pant, J.

RAJEEV GUPTA, C.J. (Oral)

Mr. Sudhir Kumar, Advocate for the petitioners.

Mr. N.C.Gupta, Standing Counsel for respondent no. 1.

None for respondents 2 and 3.

2. Sri Sudhir Kumar, the learned counsel for the petitioners, submits that in view of the subsequent order dated 12.10.2004 (Annexure S.C.A.-1) whereby the impugned order dated 03.09.2004 (Annexure 6) was withdrawn and the stipulated period for the project was extended upto the year 2008, the writ petition, now, has become infructuous.

3. The writ petition, therefore is dismissed as infructuous.

(Prafulla C. Pant, J.) **(Rajeev Gupta, C.J.)**
18.05.2006 **18.05.2006**

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